
HOUSE BILL No. 1854

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-13-2-81; IC 9-24-7-4; IC 9-27-4-5.5.

Synopsis: Commercial driver education training. Revises requirements for an applicant for a commercial driver training instructor's license. Provides that a Level 1 commercial driver training instructor's license authorizes an individual to provide the in vehicle phase of driver education instruction. Provides that a Level 2 commercial driver training instructor's license authorizes an individual to provide the in vehicle and classroom phases of driver education instruction. Provides that an individual holding a learner's permit who is less than 18 years of age must be accompanied by a guardian or relative of the driver at least 21 years of age and who holds a valid driver's license. Provides that an individual holding a learner's permit who is at least 18 years of age must be accompanied by an individual at least 21 years of age and who holds a valid driver's license. Revises the definition of "instructor of an approved driver education course".

Effective: Upon passage; July 1, 2001.

Burton

January 17, 2001, read first time and referred to Committee on Roads and Transportation.

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Introduced

First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

HOUSE BILL No. 1854

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 9-13-2-81 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 81. "Instructor of an
3 approved driver education course" includes the following:

- 4 (1) A high school teacher who conducts a driver education course.
- 5 (2) The principal of a high school offering a driver education
6 course.
- 7 (3) The authorized agent of ~~an approved~~ **a commercial driver**
8 **education training** school **licensed by the bureau under**
9 **IC 9-27-4-4.**

10 SECTION 2. IC 9-24-7-4 IS AMENDED TO READ AS FOLLOWS
11 [EFFECTIVE JULY 1, 2001]: Sec. 4. A learner's permit authorizes the
12 permit holder to operate a motor vehicle, except a motorcycle, upon a
13 public highway under the following conditions:

- 14 (1) While the holder is participating in practice driving in an
15 approved driver education course and is accompanied by a
16 certified driver education instructor in the front seat of an
17 automobile equipped with dual controls.

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(2) If the learner's permit has been validated and the holder is less than eighteen (18) years of age, the holder may participate in practice driving if the seat beside the holder is occupied by a guardian or relative of the holder who:

(A) is at least twenty-one (21) years of age; and

(B) holds a valid operator's, chauffeur's, or public passenger chauffeur's license.

(3) If the learner's permit has been validated and the holder is at least eighteen (18) years of age, the holder may participate in practice driving if accompanied in the vehicle by an individual who:

(A) is at least twenty-one (21) years of age; and

(B) holds a valid operator's, chauffeur's, or public passenger chauffeur's license.

(4) While:

(A) the holder is enrolled in an approved driver education course;

(B) the holder is participating in practice driving after having commenced an approved driver education course; and

(C) the seat beside the holder is occupied by a parent or guardian of the holder who:

(i) is at least twenty-one (21) years of age; and

(ii) holds a valid operator's, chauffeur's, or public passenger chauffeur's license.

SECTION 3. IC 9-27-4-5.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 5.5. ~~(a) To receive an instructor's license under subsection (d), an individual must complete at least sixty (60) semester hours at a college. The individual must complete at least twelve (12) semester hours in driver education courses, of which three (3) semester hours must consist of supervised student teaching experience under the direction of an individual who has:~~

~~(1) a driver and traffic safety education endorsement issued by the professional standards board established by IC 20-1-1.4; and~~

~~(2) at least five (5) years of teaching experience in driver education.~~

~~(b) The three (3) semester hours of supervised student teaching experience required under subsection (a) may only be undertaken by an individual who will be at least twenty-one (21) years of age upon completion and may only be performed at a high school, a commercial driving school, or the college providing the courses for the individual to become an instructor. The remaining nine (9) hours of driver~~

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education courses required under subsection (a) must include a combination of theoretical and behind-the-wheel instruction that is consistent with nationally accepted standards in traffic safety.

(c) The driver education semester hours required under subsection (a) do not satisfy the requirements of subsection (d) or (e) unless the driver education curriculum is approved by the commission for higher education.

(d) The bureau shall issue an instructor's license to an individual who satisfies all of the following:

(1) The individual meets the requirements of subsection (a):

(a) To obtain a commercial driver training instructor's license under subsection (d) to teach driver education, an individual must:

(1) have completed at least:

(A) thirty (30) semester hours at a college or university; or

(B) forty-eight (48) continuing education units (CEU);

(2) complete, after satisfying the requirements of subdivision (1), the training program described in subsection (b); and

(3) satisfy the requirements set out in subsection (e).

(b) An individual seeking to obtain a commercial driver training instructor's license under subsection (d) must complete the following training program:

(1) For a Level 1 commercial driver training instructor's license under subsection (d)(1), a training program consisting of two (2) courses, including a combination of theoretical and behind the wheel instruction that meets or exceeds nationally accepted standards established by the American Driver and Traffic Safety Education Association (ADTSEA).

(2) For a Level 2 commercial driver training instructor's license under subsection (d)(2), a training program consisting of three (3) courses (the two (2) courses described in subdivision (1) plus a third course), including a combination of theoretical and behind the wheel instruction that meets or exceeds nationally accepted standards established by the American Driver and Traffic Safety Education Association (ADTSEA).

(c) Each course required under subsection (b) must be designed to consist of sufficient contact hours to be offered either for:

(1) college or university credit; or

(2) continuing education credits;

through a sponsoring institution. The courses must be offered through an accredited college or university. All courses must be completed within eighteen (18) months after beginning the training



program.

(d) The bureau shall issue the following:

(1) A Level 1 commercial driver training instructor's license to an individual who completes the first two (2) courses of the training program described in subsection (b)(1). A Level 1 commercial driver training instructor's license permits the individual to provide the in vehicle phase of driver education training.

(2) A Level 2 commercial driver training instructor's license to an individual who completes all three (3) courses of the training program described in subsection (b)(2). A Level 2 commercial driver training instructor's license permits the individual to provide the in vehicle and classroom phases of driver education training.

(e) To be eligible to obtain a commercial driver training instructor's license under subsection (d), an individual must meet all of the following additional requirements:

(1) The individual does not have more than the maximum number of points for violating traffic laws specified by the bureau by rules adopted under IC 4-22-2.

(2) The individual has a good moral character, physical condition, knowledge of the rules of the road, and work history. The bureau shall adopt rules under IC 4-22-2 that specify the requirements, including requirements about criminal convictions, necessary to satisfy the conditions of this subdivision.

(3) The individual has at least five (5) years of driving experience as a licensed driver.

(e) The bureau shall issue an instructor's license to an individual who:

(1) during 1995, held an instructor's license;

(2) meets the requirements of subsection (d)(2) and (d)(3); and

(3) completes the twelve (12) semester hours of driver education courses required under subsection (a) not later than July 1, 1999.

However, an individual who has acted as an instructor for at least two (2) years before January 1, 1996, is not required to complete the requirements of subdivision (3) in order to receive an instructor's license under this subsection.

(f) The bureau shall issue an instructor's license to an individual who:

(1) holds a driver and traffic safety education endorsement issued by the professional standards board established under IC 20-1-1.4; and



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~~(2)~~ meets the requirements of subsection ~~(d)(2)~~ and ~~(d)(3)~~.

~~(g)~~ **(f)** Only an individual who holds ~~an~~ **a commercial driver training** instructor's license issued by the bureau under subsection (d) ~~(e)~~, ~~or~~ **(f)** may act as an instructor.

(g) The bureau shall adopt rules under IC 4-22-2 necessary to carry out this section.

SECTION 4. [EFFECTIVE UPON PASSAGE] **(a)** Notwithstanding IC 9-27-4-5.5, as amended by this act, the bureau of motor vehicles shall, after June 30, 2001, carry out the duties imposed upon it under IC 9-27-4-5.5, as amended by this act, under interim written guidelines approved by the bureau.

(b) This SECTION expires on the earlier of the following:

(1) The date rules are adopted under IC 9-27-4-5.5, as amended by this act.

(2) July 1, 2002.

SECTION 5. An emergency is declared for this act.

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